

SDAQ 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Food Lion, LLC., et al.

V.

SUMMONS IN A CIVIL ACTION

Cadbury Adams Canada, Inc., et al.

08 CV 03045

TO: (Name and address of Defendant)

The Hershey Company
100 Crystal A Drive
Hershey, PA 17033-0810

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Torsten M. Kracht
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

RECEIVED
MAY 5 2008

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 25 2008

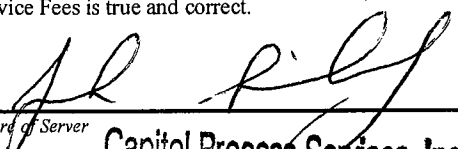
CLERK

[Signature]

DATE

(By) DEPUTY CLERK

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE 04-07-08 @ 2:49 pm	
NAME OF SERVER (PRINT) John Shinkowsky	TITLE Private Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): by serving Barbara A. Shanahan, Senior Legal Assistant, authorized to accept. Service was completed at 100 Crystal A Drive, Hershey, PA 17033 _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>04/07/08</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 65%;"> <p style="text-align: center;">  Signature of Server Capitol Process Services, Inc. 1827 18th Street, NW Washington, DC 20009 </p> <p style="text-align: center;">_____ Address of Server</p> </div> </div>		
<p>* Motion to Admit Counsel, Rule 7.1 Statement, Order Scheduling Initial Pretrial Conference</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.